

Jan 30, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
ex rel. PATRICIA and MARK
WEBSTER,

Plaintiffs,

v.

SPOKANE HOUSING VENTURES
and FRED PECK,

Defendants.

NO: 2:17-CV-301-RMP

ORDER OF DISMISSAL

BEFORE THE COURT is the parties' Stipulation of Dismissal Pursuant to Fed. R. Civ. P. 41, ECF No. 38. Relators Patricia Webster and Mark Webster, Defendants Spokane Housing Ventures and Fred Peck, and the Government have stipulated to dismiss the above action in its entirety. *See* ECF No. 38 at 3.

Relators and Defendants have reached a settlement agreement resolving this matter in its entirety and providing for its dismissal. *See* ECF No. 38 at 1, 2.

While the United States previously declined to intervene in this action (ECF No.

13), pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." The United States provides its consent to dismissal of this action, including the False Claims Act claims, so long as dismissal is without prejudice to any rights of the United States. ECF No. 38 at 2, 3. Pursuant to the settlement agreement and agreement of the parties, the parties move for this action to be dismissed with prejudice as to the Relators, and dismissed without prejudice as to the United States.

Having reviewed the Stipulation and the record, the Court finds good cause to approve dismissal. Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation of Dismissal Pursuant to Fed. R. Civ. P. 41, **ECF No. 38**, is **APPROVED**.
2. Plaintiffs' Complaint is dismissed **with prejudice** as to **Relators Patricia Webster and Mark Webster** and without fees or costs to any party.
3. Plaintiffs' Complaint is dismissed **without prejudice** as to the **United States** and without fees or costs to any party.
4. All pending motions, if any, are **DENIED AS MOOT**.
5. All scheduled court hearings, if any, are **STRICKEN**.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order, enter judgment of dismissal with prejudice as to Relators Patricia Webster and Mark Webster, provide copies to counsel, and **close this case.**

DATED January 30, 2020.

s/ Rosanna Malouf Peterson
 ROSANNA MALOUF PETERSON
 United States District Judge